

Message Text

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C O N F I D E N T I A L SECTION 1 OF 4 BAMA KO 2667

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E. O. 11652: GDS

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SUBJECT: HUMAN RIGHTS: MALI ACTION PLAN

REF: STATE 142618

1. FOLLOWING IS POST'S REVISION OF DRAFT HUMAN RIGHTS
ACTION PLAN FOR MALI TRANSMITTED REFTTEL.

2. A. CONDITION OF HUMAN RIGHTS IN MALI.

(1) RESPECT FOR THE INTEGRITY OF THE PERSON.

WHILE MALIAN LAW AND ITS DEPENDENT LEGAL AND JUDICIAL SYSTEM
GUARANTEES THE INTEGRITY OF TH PERSON, THE MALIAN STILL
FINDS THAT HIS PERSONAL RIGHTS ARE BEST PROTECTED IN THE
TRADITIONAL SOCIETAL STRUCTURE, IN WHICH FAMILY AND VIL-
LAGE RELATIONSHIPS ESTABLISH SECURITY OF THE PERSON IN A
SURPRISINGLY EFFECTIVE MANNER. THERE ARE NO REPORTS OF
TORTURE OR OF CRUEL, INHUMAN, OR DEGRADING PUNISHMENT IN
MALI. ALTHOUGH ARBITRARY ARREST AND IMPRISONMENT
ARE UNCOMMON, THEY OCCUR ON OCCASION IN CONNECTION
WITH "POLITICAL OFFENSES." PROLONGED DETENTION
WITHOUT CHARGES IS SIMILARLY UNCOMMON, WITH THE ONLY
CONFIRMED RECENT CASE THAT OF SIX TUAREG SECESSIONISTS
IMRPISONED FROM 1963 UNTIL THEIR TRIALS IN 1977.

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HOUSE-TO-HOUSE SEARCHES OCCUR ON A VERY INFREQUENT
BASIS, USUALLY AS THE RESULT OF SOME SPECIFIC POLI-
TICAL INCIDENT, SUCH AS DURING THE RECENT STUDENT
STRIKES. WHILE VIOLATIONS OF HUMAN RIGHTS AS CITED
ABOVE DO OCCUR, THEY ARE EXCEPTIONAL AND NOT APPLIED
IN A PERVASIVE, SYSTEMATIC MANNER.

(2) RESPECT FOR CIVIL AND POLITICAL LIBERTIES.

MALI IS PRESENTLY RULED BY A MILITARY COMMITTEE, AND ORGANIZED POLITICAL ACTIVITY IS PROHIBITED. WHILE MALIANS, IN PRIVATE, FREELY CRITICIZE THEIR GOVERNMENT AND SOCIETY, THE GOVERNMENT RETAINS CONTROL OVER ALL PUBLIC EXPRESSION OF VIEWS, AND WOULD NOT PERMIT ANY PUBLIC ATTACK ON ITS AUTHORITY. FIFTEEN PERSONS WERE ARRESTED FOR DISTRIBUTING A PAMPHLET OPPOSING THE JUNE 2, 1974, CONSTITUTIONAL REFERENDUM, AND IN RECENT MONTHS THE GOVERNMENT USED FORCE TO CONTROL A SERIES OF STREET DEMONSTRATIONS WHICH ON SEVERAL OCCASIONS HAD RESULTED IN VANDALISM AND DESTRUCTION OF PROPERTY. MALIANS ARE FREE TO ASSEMBLE FOR RELIGIOUS, SOCIAL, AND PROFESSIONAL PURPOSES, ALTHOUGH THE LABOR UNIONS, WOMEN'S AND OTHER GROUPS FOLLOW THE GOVERNMENT LINE ON ALL POLITICAL QUESTIONS. MISSIONARIES REPORT MORE RELIGIOUS FREEDOM THAN AT ANY OTHER TIME IN MALIAN HISTORY. THE NEW MALIAN CONSTITUTION, WHICH WILL COME INTO FULL FORCE IN 1979, FORESEES THE ELECTION BY UNIVERSAL SUFFRAGE OF A PRESIDENT AND NATIONAL ASSEMBLY, AND THE NASCENT POLITICAL PARTY, THE DEMOCRATIC UNION OF THE MALIAN PEOPLE, WILL AT THE LEAST THEORETICALLY SPRING FROM A POPULAR BASE. THE CONSTITUTION GUARANTEES VARIOUS FREEDOMS AND RIGHTS AS WELL AS EQUALITY UNDER THE LAW FOR ALL EXCEPT ADHERENTS OF THE PRE-1968 REGIME, BUT IT IS DIFFICULT

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TO JUDGE HOW EFFECTIVELY THE CONSTITUTIONAL SAFEGUARDS WILL BE APPLIED. THE DELIBERATE PACE OF PROGRESS TOWARD RETURN TO CIVILIAN RULE IS GENERALLY TAKEN AS INDICATIVE OF CONSIDERABLE CONFLICT WITHIN THE MILITARY COMMITTEE OVER THE EXTENT OF REFORM DESIRABLE.

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FREEDOM OF MOVEMENT WITHIN MALI IS GENERALLY UNRESTRICTED, ALTHOUGH INTER-CITY TRAVELERS ARE SUBJECT TO FREQUENT POLICE CHECKS, WHICH ARE ALLOWED BY THE LAW. THE PRESENT MILITARY GOVERNMENT WON ITS POPULARITY UN PART BY REMOVING MOST BARRIERS TO TRAVEL COMMON UNDER THE PREVIOUS KEITA REGIME. THERE ARE NO BARRIERS TO EMIGARTION.

(3) RECENT TRENDS IN GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF BASIC NEEDS FOR FOOD, SHELTER, HEALTH CARE AND EDUCATION.

A. MALI'S PRESENT GOVERNMENTAL POLICIES ARE FOCUSED ON RESPONDING TO THE NEEDS OF THE POOR--MALI RANKS AMONG THE THREE OR FOUR POOREST NATIONS OF THE WORLD ACCORDING TO UN ESTIMATES. ECONOMIC DEVELOPMENT PROGRAMS ARE AIMED AT IMPROVING THE LIVELIHOOD OF THE COUNTRY'S OVERWHELMINGLY RURAL AGRICULTURAL AND NOMADIC POPULATION.

B. CORRUPTION, WHILE NOT YET REACHING THE SPECTACULAR SCALE OF SOME THIRD-WORLD NATIONS, IS A GROWING PROBLEM. ITS FIRST SIGNIFICANT APPEARANCE CAN BE TRACED TO THE TIME OF THE DROUGHT, WHEN DIVERSION OF COMMODITIES AND MISAPPROPRIATION OF FUNDS WERE

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NOTED BY ALMOST ALL DONORS. IN SPITE OF ALMOST CONSTANT WARNINGS BY PRESIDENT TRAORE AGAINST DISHONEST PRACRICES, THE OCCASIONAL TRIALS, AND THE REMOVAL OF EGREGIOUSLY CORRUPT OFFICIALS, THE GOVERNMENT EXHIBITS A CONTINUED RELUCTANCE TO CLEAN ITS OWN HOUSE. CORRUPTION CANNOT YET BE CONSIDERED A SERIOUS DRAIN ON THE COUNTR6S DEVELOPMENT RESOURCES. IT DOES, NONETHELESS, HAVE A BRAKING EFFECT, AND FOR THE MOMENT IT SEEMS TO BE SPREADING RATHER THAN DIMINISHING.

(4) LEVEL OF THE GOVERNMENT'S RESPONSIBILITY FOR THE FOREGOING HUMAN RIGHTS RECORD.
THE MALIAN GOVERNMENT'S ATTITUDE TOWARD HUMAN RIGHTS AS DEFINED BY THE UNIVERSAL DECLARATION OF HUMAN

RIGHTS IS AMBIVALENT. ON THE ONE HAND THE CONSTITUTION CONFIRMS THESE RIGHTS. ON THE OTHER HAND, THE LAW GIVES THE GOVERNMENT AUTHORITY TO OVERRIDE THESE RIGHTS IN THE NATIONAL INTEREST. THE MILITARY GOVERNMENT HAS RATHER BROADLY EXERCISED ITS PREROGATIVES. SECURITY OF THE STATE HAS ON OCCASION BEEN USED TO JUSTIFY VIOLATIONS OF POLITICAL RIGHTS.

MALI APPEARS TO BE GENUINELY PREPARED TO MOVE TOWARD GREATER RESPECT FOR HUMAN RIGHTS, BUT ONLY SLOWLY AND IN ACCORD WITH THE MILITARY GOVERNMENT'S PACE. NATIONAL RECONCILIATION IS ONE OF THE FIRM TENETS OF THE MILITARY GOVERNMENT'S PROGRAM, AND SOME PROGRESS HAS BEEN MADE.

(5) WILLINGNESS AND PAST RECORD OF THE GOVERNMENT REGARDING INDEPENDENT, OUTSIDE INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLATIONS.
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THERE HAVE BEEN NO INDEPENDENT, OUTSIDE INVESTIGATIONS OF ALLEGED HUMAN RIGHTS VIOLATIONS IN MALI. AMNESTY INTERNATIONAL HAS MADE NO RECENT PUBLIC STATEMENTS REGARDING HUMAN RIGHTS IN MALI, BUT SINCE 1968 AI HAS URGED THE RELEASE OF POLITICAL PRISONERS AND IN 1974 ORGANIZED A CAMPAIGN TO PUBLICIZE THE PRISONERS' PLIGHT.

IN 1975, PROCLAIMED THE "YEAR OF RECONCILIATION" BY PRESIDENT TRAORE, MANY--BUT NOT ALL--POLITICAL PRISONERS WERE RELEASED.

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3. B. ANALYSIS AND RECOMMENDATIONS.

(1) LEGITIMATE OBJECTIVES OVER THE NEXT THREE, SIX, TWELVE MONTHS IN RELATION TO IMPROVING CONDITIONS IN MALI, WITH RESPECT TO CATEGORIES A(1), (2) AND (3) ABOVE. IN TERMS OF (A) IMPORTANCE, (B) FEASIBILITY, (C) US LEVERAGE, (D) LIKELY INTERNATIONAL SUPPORT AND (E) OPTIONS AND RECOMMENDED.

OUR OBJECTIVES OVER THE NEAR AND MID-TERM SHOULD BE TO: 1) ENCOURAGE MALI'S PRESENT TREND TOWARD NATIONAL RECONCILIATION BY ACTION SUCH AS FREEING ALL REMAINING POLITICAL PRISONERS ESTIMATED TO TOTAL EIGHT; 2) CONTINUE TO ASSIST IN PROMOTING MALI'S ECONOMIC DEVELOPMENT IN SUCH A MANNER THAT THE LIVELIHOOD OF THE POOREST ELEMENTS OF THE POPULATIONS WILL BE IMPROVED; AND 3) ENCOURAGE ENTRY INTO FULL FORCE OF THE 1974 CONSTITUTION'S GUARANTEES ON THE PRESCRIBED JUNE 1979 DATE NOW ESTABLISHED FOR RETURN TO CIVILIAN GOVERNMENT; AND 4) BY THE MOST DISCREET AND INDIRECT WAYS, ENCOURAGE DEVELOPMENT OF THE POLITICAL PARTY NOW BEING FORMED.

THESE ARE IMPORTANT STEPS WHICH SIGNIFICANTLY IMPROVE MALI'S HUMAN RIGHTS PERFORMANCE. OUR
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LEVERAGE, HOWEVER, IS MODEST--PRIMARILY OUR BILATERAL AND SAHEL DEVELOPMENT PROGRAM ECONOMIC ASSISTANCE. MALI IS NOT A HARSH REGIME, IN SPITE OF ITS HUMAN RIGHT FAILINGS, AND DOES HAVE A LEGITIMATE FEAR OF SUBVERSIVE ACTIVITY AGAINST THE STATE. INTERNATIONAL SUPPORT FOR THE USE OF OUR SOLE LEVERAGE--REDUCING OR ELIMINATING OUR ECONOMIC DEVELOPMENT ASSISTANCE--WOULD BE NON-EXISTENT.

QUIET DIPLOMACY WOULD BE OUR BEST COURSE OF ACTION. WE SHOULD CONTINUE TO STRESS FIRMLY AT THE HIGHEST LEVELS THE US GOVERNMENT INTEREST IN HUMAN RIGHTS AND OUR BELIEF THAT MALI SHOULD TAKE MEASURES TO IMPROVE ITS PERFORMANCE AND RECORD.

MALI IS ELIGIBLE FOR FMS PROGRAMS, BUT THERE IS NO BILATERAL PROGRAM AT PRESENT. THE MALIANS ARE INTERESTED IN THE RESUMPTION OF ENGLISH-LANGUAGE

TRAINING, FOR MILITARY PERSONNEL, AND HUMAN RIGHTS
CONDITIONS SHOULD BE A FACTOR IN WEIGHING ANY SUCH REQUEST.

ACTION TO PRESSURE MALI THROUGH ECONOMIC
RESTRICTIONS, WHETHER BILATERAL AID OR RELATED TO IFI
LOANS OR EXIM BANK CREDITS, WOULD BRING MORE HARM TO
MALI'S POOR--THE OVERWHELMING MAJORITY OF THE POPU-
LATION--THAN ANY HUMAN RIGHTS IMPROVEMENT THAT COULD
BE EXPECTED MIGHT IMPROVE THEIR LOT.

(2) PRINCIPAL REACTIONS IN MALI TO THE NEW US
HUMAN RIGHTS PROGRAM AND EMBASSY ACTIONS AND PROPOSED
ACTIONS IN SUPPORT OF THESE POLICIES:

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WHILE MALIANS HAVE SHOWN A KEEN INTEREST IN THE
NEW US FOREIGN POLICY EMPHASIS ON HUMAN RIGHTS,
THEIR SUPPORT FOR THE CAMPAIGN IS GENERALLY LIMITED
TO AREAS WHERE SUPPORT FOR HUMAN RIGHTS IS CONGRUENT
WITH ALREADY HELD MALIAN POSITIONS. THUS, MALIANS
ARE ENTHUSIASTIC WHENEVER THE UNITED STATES CONDEMNDS
THE SUPPRESSION OF HUMAN RIGHTS BY SOUTHERN AFRICAN
WHITE REGIMES. STATEMENTS REGARDING OTHER COUNTRIES
WITH WHICH MALI HAS CLOSE RELATIONS OR COUNTRIES
WHICH ARE NOT HELD IN GENERAL DISFAVOR BY THE THIRD
WORLD RADICAL BLOC ARE DOWNPLAYED. CERTAINLY, NO
INTERNAL APPLICABILITY OF SUCH STATEMENTS IS ACKNOW-
LEDGED. THE MAIN AREA OF ACTIVITY IN WHICH THE
EMBASSY CAN WORK TO INCREASE MALIAN SENSITIVITY TO
HUMAN RIGHTS ISSUES IS THROUGH QUIET DIPLOMACY. A
CONSISTENT REFERENCE TO THE NEED TO RESPECT HUMAN
RIGHTS WILL SERVE TO MAKE THE MALIANS AWARE OF THE
IMPORTANCE THE UNITED STATES ATTACHES TO THE ISSUE.

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(3) EVALUATE REACTIONS IN 2 ABOVE IN TERMS OF THE IMPLICATIONS FOR POSITIVE AND NEGATIVE CHANGES IN THE HUMAN RIGHTS CONDITIONS:

AS THE SITUATION STANDS, THE US EMPHASIS ON HUMAN RIGHTS WILL HAVE LITTLE INFLUENCE ON HUMAN RIGHTS CONDITIONS IN MALI SINCE THE MALIANS DO NOT CONCEDE ANY RELEVANCE IN THEIR OWN CASE. THE MALIAN GOVERNMENT HAS SET ITS DELIBERATE TIMETABLE FOR OPENING OF THE POLITICAL PROCESS AND HAS EXHIBITED A DETERMINATION TO HOLD BY IT. CONSISTENT EMBASSY AFFIRMATION OF THE IMPORTANCE OF THE ISSUE CAN, HOWEVER, SERVE TO ENSURE THAT THE PROJECTED CIVILIAN GOVERNMENT WILL BE SENSITIVE TO HUMAN RIGHTS.

(4) (A) WHERE A HUMAN RIGHTS RECORD JUSTIFIES US ACTIONS, EVALUATE THE IMPACT OF THOSE ACTIONS ON OTHER US INTERESTS IN THE COUNTRY.

US INTERESTS IN MALI ARE MINIMAL, AND ESSENTIALLY HUMANITARIAN. WE HAVE NO SECURITY RELATIONSHIP, AND LITTLE ECONOMIC OR COMMERCIAL EXCHANGE.

MALI HAS INDICATED ITS INTEREST IN PROVING RELATIONS WITH THE US IN RECENT MONTHS, AND US
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GOVERNMENT ACTION TO FORCE ACCEPTANCE OF HUMAN RIGHTS POLITICS--IF RESISTED BY MALI--WOULD LESSEN OUR ALREADY LIMITED ABILITY TO DRAW ON MALI'S SUPPORT FOR US INTERESTS IN THE REGION. WE WOULD HAVE AN ANGRY, VOCAL OPPONENT.

MALI IS A COUNTRY UNDERGOING GREAT CHANGE, BOTH POLITICALLY AND ECONOMICALLY. THE BASIC THRUST IS TO BRING ABOUT A BETTER LIFE FOR THE PEOPLE AND TO PREVENT THE RECURRENCE OF THE 1968-73 SAHEL DROUGHT RAVAGES. THE PROMISE OF DEMOCRATIC GOVERNMENT BY JUNE 1979 IS ENCOURAGING. DISCOURAGING IS THE LACK OF INDEPENDENT NON-GOVERNMENTAL SOURCES OF POLITICAL INFLUENCE IN MALI, AND A NOT YET FULLY OPERATIVE

CONSTITUTION.

MALI, AS A YOUNG COUNTRY, IS SENSITIVE TO
OVERT OUTSIDE PRESSURE AND WOULD PERCEIVE PUBLIC
DECLARATIONS ON ITS HUMAN RIGHTS SITUATION AS
MEDDLING IN ITS INTERNAL AFFAIRS.

(B) WHERE THE HUMAN RIGHTS RECORD IS GOOD, INDI-
CATE THE LIKELIHOOD OF MALI'S SUPPORT FOR US
EFFORTS TO PROMOTE HUMAN RIGHTS THROUGH GOVERNMENTAL
AND NON-GOVERNMENTAL ORGANIZATIONS.

NOT APPLICABLE.

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